

# Mendocino Council of Governments

**Approved MINUTES**  
**Monday, March 3, 2003**  
Ukiah City Council Chambers

**The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:**  
Mendocino Regional Transportation Planning Agency (RTPA) and  
Mendocino County Service Authority for Freeway Emergencies (SAFE)

**1. Call to Order / Roll Call .** The meeting was called to order at 1:32 p.m. with Directors Willis (PAC), Larson, Shoemaker, Wharff, Dahlhoff, and Gjerde present; Vice Chair Shoemaker presiding. Chair Campbell excused (attending national conference). Alternate Director Jorgensen arrived soon thereafter. Also present: Phil Dow, Executive Director; Janet Orth, Deputy-Administration; Loretta Ellard, Deputy-Planning; Larry Wright, Deputy-Long Range Planning, and Nephela Barrett, Assistant Planner.

**2. Convene as RTPA**

**3. Recess as RTPA - Reconvene as Policy Advisory Committee.**

**4 - 5. Consent Calendar.** Upon motion by Larson, seconded by Wharff, and carried on roll call vote (*6 Ayes – Willis/PAC, Larson, Wharff, Dahlhoff, Gjerde, and Shoemaker; 0 Noes; 0 Abstaining; 2 Absent – Jorgensen and Campbell*): IT IS ORDERED that consent items are approved: \*

**4. Approval of February 3, 2003 Minutes** – *as written, with typographical corrections*

**5. Third Amendment to 2002/03 Planning Overall Work Program (OWP)** – Deletes Work Element 10, “City of Fort Bragg Comprehensive Bicycle & Pedestrian Trails Plan,” at the request of the City, releasing \$35,000 for carryover to FY 2002/03 Overall Work Program.

\* Note: Director Gjerde voted “Aye” and stated his abstention on #4, Minutes.

Director Jorgensen arrived.

**Public Expression.** Ellen Drell of Willits asked about MCOG’s request to Congressman Thompson for TEA21 funds for the Willits Bypass. Dow replied that staff had submitted the project to Thompson, and that copies of the application were provided to the Board in the information packet.

**6 - 9. Regular Calendar.**

**6. Public Hearing - Final 2001 Mendocino County Regional Transportation Plan (RTP) and Draft Environmental Impact Report (EIR).**

- a. Staff Report. Staff reported that proofs of publication of the hearing notice were received from four newspapers (copies provided in meeting materials). Upon motion by Larson, seconded by Jorgensen, and carried (*7 Ayes, 0 Noes, 0 Abstaining, 1 Absent – Campbell*): IT IS ORDERED that this hearing was properly noticed according to law.

Dow reported on status of the Draft EIR and recent changes made to the RTP. The State Clearinghouse had notified MCOG of the deadline for public agencies to comment,

March 12; however MCOG would accept comments through March 17 according to the published notice. Dow invited consultant Leonard Charles to the podium. Mr. Charles explained the purpose of this programmatic EIR was to identify early mitigation measures. A large, inclusive list of potential adverse impacts were identified, because it was too early to know their level of significance. Further mitigations would be identified by project-level EIRs. This program-level EIR identified alternatives, including “no project” (no RTP), which was not considered feasible because the RTP is required by law. He briefly discussed other alternatives identified in the EIR, including a two-lane versus four-lane Willits Bypass. He stated that by the end of this process MCOG would have full disclosure of all the issues.

A few typographical errors in the Draft EIR were noted. Director Gjerde reported that the City of Fort Bragg had directed their staff to provide updates to MCOG of recent changes to their local plans to be noted in the RTP. Vice Chair Shoemaker asked Mr. Charles what would be done with Fort Bragg’s comments. Charles replied that a response would be provided, and it would be a decision of MCOG whether or not to incorporate the comments in the RTP. He stated that the comments were unlikely to change the EIR, as his firm had prepared the City’s General Plan and would have been aware of any significant changes. Discussion with staff followed (see also Agenda #6d).

- b. Public Hearing – Draft Environmental Impact Report (EIR). Vice Chair Shoemaker opened the hearing at 1:52 pm. and invited all speakers to also submit their comments in writing, as comments would be limited to three minutes per person.

Ellen Drell, Willits Environmental Center, noted the document was well prepared. She discussed the treatment of the Willits Bypass impacts, comparing the EIR for the bypass with that of the RTP, with discrepancies between the two concerning noise impacts. She discussed level-of-service issues. In conclusion, she noted the transit alternatives, which she thought had been dismissed without adequate analysis, on the basis of lack of funding rather than feasibility. She proposed a hypothetical plan for funding transit, in which MCOG would fund increased operational costs for transit.

Christopher Martin of Willits also discussed level-of-service standards for roads and highways in Mendocino County. He stated that if the goal of Level C in the RTP were fully implemented, the county would be covered with a network of freeways. He said Caltrans was not a reliable source of information on alternatives. He proposed a two-lane bypass for Willits to achieve reduced impacts, and argued that Caltrans did not properly study this alternative.

Richard Estabrook of Brooktrails (Willits) complimented the quality of the EIR. He spoke to the Willits Bypass as the source of the largest impacts in the RTP, and discussed the two-lane alternative. He expressed concern for wetlands impacts under all of the bypass alternatives being considered by Caltrans. He asserted that Level of Service C was too high a standard for this highway. He stated that several federal resource agencies were in support of a two-lane bypass or had not opposed that alternative.

Johanna Burkhardt of Willits expressed disappointment with the statement in the EIR concerning rail transportation (on Page 180), which she said was inaccurate. She also disagreed with the statements in the EIR that the rail and transit alternatives were not

feasible. She cited other cases where transit had been further developed. She stated that MCOG had not given adequate treatment to or support of public transit alternatives. She cited the environmental benefits of rail and transit.

Vice Chair Shoemaker closed the hearing at 2:13 p.m.

- c. Public Hearing – Final Regional Transportation Plan (RTP). Vice Chair Shoemaker opened the hearing at 2:13 p.m.

Ellen Drell, Willits Environmental Center stated that MCOG had a bias toward roads and highways among the transportation modes available. She noted 49 highway projects listed in the RTP, designed to serve personal vehicles, and only six public transit projects, of which two are in the near term. She cited non-motorized projects, i.e. bicycle and pedestrian modes. Altogether she thought these were not comprehensive enough to represent a multimodal transportation system, and stated that now is the time to start making fundamental changes in that direction.

Richard Estabrook of Brooktrails suggested ways MCOG could address these projects and their impacts, so as to better serve the residents of this county and the goals for the next 20 years.

Terry Vaughn of the Mendocino Coast stated that most of the bicycle and pedestrian projects listed in the RTP were on the inland side of the county, with only one on the coast, in Point Arena. He cited additional projects that have been proposed and suggested that more projects be planned for the coast. He noted his past experience working in promotion of the California Western Railroad and that the number of tourists served has recently declined, with negative funding impacts on the local recreation district as a result.

Vice Chair Shoemaker closed the hearing at 2:22 p.m.

- d. Board Discussion. Next steps were discussed. Dow said that final adoption would be agendized for the April meeting, to be continued to May if Leonard Charles needed more time to respond to comments received on the Draft EIR. Dow stated that completion of this 2001 RTP was a year and a half late, the statistics were becoming dated, and soon it would be time to begin the next RTP update. He expected the next RTP to be finished approximately June 2005.

Discussion followed on treatment of the comments received today. Dow said he would prepare a response concerning funding sources for transit and funding equity between inland and coast for nonmotorized mode projects. Director Dahlhoff was encouraged by the interest in this RTP and suggested that those who commented be involved in the next RTP update. Director Jorgensen defended Caltrans data provided for the two-lane Willits Bypass alternative. Director Larson asked Mr. Charles about City of Ukiah issues concerning development, and whether fire response air tankers could be considered as mitigation measures; Charles replied in the negative. Director Larson also discussed safety and growth inducement issues relative to the planned Hopland Bypass, agreeing with the statements in the Draft EIR. He also requested minor corrections to statements in the Draft EIR concerning north-south routes through Ukiah.

Mr. Charles responded to Ms. Drell's statement made about noise impacts and noted mitigation measures and their criteria. He noted Caltrans uses a higher threshold for noise level significance than do acoustic engineers in the industry. Discussion followed.

Vice Chair Shoemaker commented on rail issues, noting his early support for hauling waste by rail and the obstacles to funding rail. He considered State government the greatest impediment to rail mode funding, not local government. He also commented on the nonmotorized mode and opportunities for public involvement. He characterized the need for a second access road to Brooktrails as a public safety issue rather than a growth inducement issue. He mentioned planning efforts for a regional park near Fort Bragg and the challenges of access via Route 20. In response to Ms. Drell's comments, he concluded that public transit service requires well maintained roads to function. He thanked all for their participation.

Vice Chair Shoemaker called a recess at 2:40 p.m. and reconvened the meeting at 2:50 p.m.

Upon motion by Wharff, seconded by Larson, and carried (7 Ayes, 0 Noes, 0 Abstaining, 1 Absent – Campbell): IT IS ORDERED that this item is continued to April 7, 2003.

**7. Resolution Adopting Fourth Amendment to 2002 Regional Transportation Improvement Program (RTIP) Regarding County Department of Transportation Projects.** Dow reported briefly on the purpose of this item and offered staff member Nephele Barrett to answer any questions. The project amendments dealt chiefly with scheduling.

**Upon motion** by Wharff, seconded by Larson, and carried unanimously on roll call vote (7 Ayes – Willis/PAC, Jorgensen, Larson, Wharff, Dahlhoff, Gjerde, and Shoemaker; 0 Noes; 0 Abstaining; 1 Absent - Campbell): IT IS ORDERED that the following resolution is adopted.

**Resolution No. M2003-03**

Adopting Fourth Amendment to  
2002 Regional Transportation Improvement Program (RTIP)  
(Reso. #M2003-03 is incorporated herein by reference)

**8. Resolution Adopting Fifth Amendment to 2002 RTIP Regarding Hopland Bypass.** Dow reported that this item was proposed separately in followup to discussion and Board direction at last month's meeting. He commented on funding commitment shares between Caltrans and regional government, with 15 to 25 percent likely to be needed from MCOG for this project. Director Jorgensen noted that, as she voted last meeting, she could not support the resolution. Director Gjerde asked whether Humboldt County Association of Governments (HCAG) had been approached to share in the funding of this project. Vice Chair Shoemaker stated that the North Coast Supervisors Association had addressed this issue in the past. He asked Director Willis of Caltrans to comment. She reported on the funding sources for the interregional corridor, including the Confusion Hill landslide area. The State Highway Operation and Protection Program (SHOPP) funds repair and maintenance and does not require any regional share by MCOG. Vice Chair Shoemaker asked for a change in the resolution, to strike out the higher figure of 25 percent funding share for MCOG. Willis commented that statewide, regions typically provide up to a 50 percent share of funds for state highway projects, while she recognized that MCOG might not have even 15 percent available. Director Gjerde advocated for asking the Humboldt region to contribute to Highway 101 improvements that benefit them, even when physically located in Mendocino County.

A motion and second to adopt the resolution with the proposed amendment was withdrawn after discussion.

**Upon motion** by Dahlhoff, seconded by Wharff, and carried on roll call vote (*5 Ayes – Willis/PAC, Larson, Wharff, Dahlhoff, and Shoemaker; 2 Noes – Jorgensen and Gjerde; 0 Abstaining; 1 Absent - Campbell*): IT IS ORDERED that the following resolution is adopted as written.

**Resolution No. M2003-04**  
Adopting Fifth Amendment to  
2002 Regional Transportation Improvement Program (RTIP)  
(Reso. #M2003-04 is incorporated herein by reference)

Director Willis (PAC) excused for remainder of meeting.

**9. Acceptance of 2001/02 Fiscal Audit of Mendocino Council of Governments.** Dow and Orth reported a clean fiscal audit by R. J. Ricciardi, CPA. A report from the Executive Committee was received concerning the independent auditor's "Current Observations" in his management recommendations, which suggested that the Board review a list of expense disbursements made each month. The Executive Committee did not favor this proposal and the Board concurred not to implement the recommendation.

**Upon motion** by Jorgensen, seconded by Dahlhoff, and carried unanimously on roll call vote (*6 Ayes – Jorgensen, Larson, Wharff, Dahlhoff, Gjerde, and Shoemaker; 0 Noes; 0 Abstaining; 2 Absent - Willis/PAC and Campbell*): IT IS ORDERED that the independent fiscal audit of the year ended June 30, 2002 is accepted.

**10. Reports - Information**

- a. Mendocino Transit Authority. There was no report.
- b. North Coast Railroad Authority. The new Executive Director, Mr. Douglas Christy was present and stated his intention to report regularly to MCOG. He noted that while he represents NCRA on MCOG's Technical Advisory Committee, he is not able to attend often, due to a conflict with the meeting schedule. NCRA's office has been moved from Cloverdale to Ukiah. He characterized the relationship between NCRA, the public agency, and the railroad's private operator as a close public-private partnership. He discussed funding issues and challenges, stating his intention to work hard to keep the \$60 million of State funds. He also is applying for Federal Emergency Management Agency (FEMA) funds and other federal funds. NCRA has completed numerous reports, published on their web site, to support their plans and proposals. He thanked MCOG for its support. NCRA is working to bring in private investors and additional local support. This is a critical time for NCRA, with legislative decisions being made on their funding. He emphasized the importance to the region of this railroad.

Director Dahlhoff asked about sources of private funding; Mr. Christy replied that local gravel companies are involved in the proposals. NCRA is identifying sites where permits may be granted for gravel extraction from the waterways along the rail. He assured there would be full public disclosure.

- c. MCOG Administration & Planning Staff
  1. *Summary of Meetings*. Dow reported on recent meetings in Sacramento. There is still a possibility of new funds in the 2004 State Transportation Improvement Program (STIP). The Transportation Congestion Relief Program (TCRP) will go unfunded in the State budget, so no projects can depend on this new funding program.

2. *State Budget.* Dow reported there was no further news at this stage, except that Proposition 42, which had passed on the ballot to fund local transportation rehabilitation and maintenance, appears to be losing ground.
  3. *Draft 2003/04 Planning Overall Work Program (OWP).* Dow reported progress under the customary process, by which the Technical Advisory Committee recommends a draft to be submitted to Caltrans by the March 1 due date, and a formal document is presented subsequently to the MCOG Board for comment and adoption in June.
  4. *Transportation Sales Tax Initiatives.* Dow reported several legislative proposals that would lower the threshold for passing local transportation sales tax measures at the ballot, from a required two-thirds vote to a simple majority. The previous Tuesday, the Lake County Board of Supervisors approved their sales tax initiative for the ballot, scheduled for a special election on June 3.
  5. *Miscellaneous.* None.
- c. MCOG Directors. Director Gjerde reported on California Western Railroad, now in bankruptcy, with a proposal before the City of Fort Bragg to contribute \$30,000 cash to continue operations. He had heard the railroad needed \$250,000 to keep operating. He also expressed interest in inviting local public works directors to address the MCOG Board on projects under consideration.
- Director Larson reported Air Quality Management District proposals to enhance pedestrian safety in Ukiah, including crosswalks using new asphalt paving methods with distinctive colors and patterns. He suggested sharing the machinery with other local jurisdictions, as there is interest on the part of public works staff among the local cities. The project would cost about \$70,000.
- 11. a. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Wharff, second by Dahlhoff, and carried unanimously on roll call vote (*6 Ayes – Jorgensen, Larson, Wharff, Dahlhoff, Gjerde, and Shoemaker; 0 Abstaining; 1 Absent –Campbell*): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.
- b. Adjournment.** The meeting was adjourned at 3:38 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Administrator